

### **REMARKS**

This responds to the Office Action mailed on December 12, 2003.

Claims 1, 9, 10, 14, 15, 17, 18, 20, 21, 24 and 25 are amended, and no claims are canceled or added; as a result, claims 1 – 26 remain pending in this application.

#### **Applicants' Summary of Interview of March 31, 2004**

Applicant's undersigned attorney wishes to thank the Examiner for the courtesies extended him in the course of the interview at the Examiner's Office on March 31, 2004. In the course of the interview, the cited Tobita application was discussed and a proposed amendment, corresponding to the one included herein was tentatively agreed to distinguish the claims from the citations of record.

#### **§102 Rejection of the Claims**

Claims 1, 2, 4-12, 14-16 and 20-26 were rejected under 35 USC § 102(e) as being anticipated by Tobita (U.S. 2002/0090501).

While Applicant does not admit that the Tobita application is prior art, and reserves the right to swear behind it at a later date, Applicant respectfully submits that the claims are distinguishable over Tobita. Applicant reserves the right to pursue the original claims in a further application filed during the pendency of the present application. With the intent of advancing the prosecution of this application, Applicant proposed the above claim amendments in conferring with the Examiner who agreed that none of the cited art shows bundles of the nanotubes as the amended claims now require.

Support for the amendment is at pages 3 through 7 of the application as well as in originally presented claim 6. Reconsideration and allowance of claims 1-2, 4-12, 14-16 and 20-26 is respectfully requested.

#### **§103 Rejection of the Claims**

Claims 3 and 13 were rejected under 35 USC § 103(a) as being unpatentable over Tobita.

Claims 17-19 were also rejected under 35 USC § 103(a) as being unpatentable over Schumann et al. (U.S. 6,006,168) in view of Tobita.

Serial Number: 10/027442

Dkt: 884.425US1 (INTEL)

Filing Date: December 20, 2001

Title: ALIGNED CARBON NANOTUBE THERMAL INTERFACE MATERIAL

Assignee: Intel Corporation

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Since the amendments proposed herein are believed to have brought the independent claims into condition for allowance, the dependent claims which contain the same distinguishing features and additional features are unobvious over the proposed combination of Schumann et al and Tobita. Schumann et al adds nothing to Tobita relative to what is claimed in independent claim 17. Reconsideration and allowance of claims 17 – 19 is respectfully requested.

Conclusion

Applicant respectfully submits that the claims, as amended, are now in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 373-6970 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

STEPHEN W. MONTGOMERY ET AL.

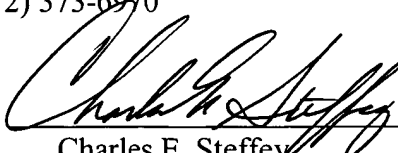
By their Representatives,

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Date

April 7, 2004

By



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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 7 day of April, 2004.

Name

KACIA LEE

Signature

Kacia Lee